

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WAYMO LLC,

No. C 17-00939 WHA

Plaintiff,

v.

UBER TECHNOLOGIES, INC.;  
OTTOMOTTO LLC; and OTTO  
TRUCKING LLC,

**ORDER RE MOTIONS FOR  
PROTECTIVE ORDER OVER  
DUE DILIGENCE REPORT**

Defendants.

On September 13, the Federal Circuit rejected non-party Anthony Levandowski's petition to prevent production of a due diligence report prepared by non-party Stroz Friedberg. The Federal Circuit's opinion specifically did not decide "whether the District Court may choose to preserve the Stroz Report's confidentiality until its status in any criminal proceeding is resolved." The public visibility of the due diligence report will impact how we proceed with trial starting on October 10. Any motion for a protective order over the due diligence report must therefore be filed by **SEPTEMBER 19 AT NOON**, with responses due by **SEPTEMBER 21 AT NOON** and replies due by **SEPTEMBER 22 AT NOON**. Failure to so move will be deemed a waiver of any and all argument to keep the due diligence report confidential in this civil action.

**IT IS SO ORDERED.**

Dated: September 15, 2017.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE